

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
George A. Fisher and Pamela L. Fisher

Case No.: 14-28242 JNP
Judge: Jerrold N. Poslusny, Jr
Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- | | | |
|---|--|--|
| <input type="checkbox"/> Original | <input checked="" type="checkbox"/> Modified/Notice Required | <input checked="" type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required | <input type="checkbox"/> No Discharge Sought |

Date: June 28, 2016

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 250 per month to the Chapter 13 Trustee, starting on July 1, 2016 for approximately 39 more (of 60) months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Joseph J. Rogers, Esquire	Attorney Fees	\$3090 + \$400 supplemental fees (\$3490 ptd); + \$400 pending supplemental fees
Chapter 13 Trustee	Trustee Commissions	10%

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Bank of America	mortgage	\$2181.12	NA	\$0 (\$2181.12 claim was paid in full)	per note
Ally Financial	2011 Chev Aveo	\$243.65	NA	\$0 (\$243.65 paid)	per contract
Wells Fargo	2014 Dodge Journey	\$423.02	NA	\$0 (\$423.02 paid)	per contract
Wells Fargo	2013 Hyundai Elen	\$424.98	NA	\$0 (\$424.98 paid)	per contract

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Fort Billings FCU	2006 Pontiac G6	\$13,256.67	\$4125	NA	\$4125	4%	\$4560 as previously confirmed (\$4560 has been paid in full)

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☐ Not less than _____ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Fort Billings FCU	2006 Pontiac G6	\$4560 including interest - as previously confirmed	\$9131.67 as previously confirmed

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Joseph J. Rogers, Esquire
- 3) _____
- 4) _____

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: efiled 9/23/2014.

Explain below **why** the plan is being modified:
Debtors' income is reduced.

Explain below **how** the plan is being modified:
Payments are recalculated based on same.
\$31,502 paid to date. Total plan length 60 months.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: _____

/s/ Joseph J. Rogers Esquire
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 6/28/16 _____

/s/ George A. Fisher
Debtor

Date: 6/28/16 _____

/s/ Pamela L. Fisher
Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 George A. Fisher
 Pamela L. Fisher
 Debtors

Case No. 14-28242-JNP
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 49

Date Rcvd: Jul 11, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 13, 2016.

db/jdb
 smg
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 515175361
 515031230
 515190974
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 515031235
 515031236
 515162343
 515178775
 515240501
 515031237
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 515234884
 515031244
 515031246
 515073259
 515133028
 515133026
 515031248
 515031249
 515031252
 515056470
 515031253

+George A. Fisher, Pamela L. Fisher, 152 Applewood Drive, Swedesboro, NJ 08085-1538
 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 +NJCLASS, PO Box 548, Trenton, NJ 08625-0548
 +Trumark Financial Credit Union, 1000 Northbrook Drive, Trevose, PA 19053-8430
 American Express Centurion Bank, c o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701
 +Amex, Po Box 297871, Fort Lauderdale, FL 33329-7871
 +Bank of America, N.A., P.O. Box 660933, Dallas, TX 75266-0933
 +Bby/cbna, 26525 N Riverswood Blvd, Mettawa, IL 60045-3440
 +Bk Of Amer, 450 American St, Simi Valley, CA 93065-6285
 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Cap One, Po Box 85520, Richmond, VA 23285)
 +Cap1/boscv, Po Box 5253, Carol Stream, IL 60197-5253
 +Cap1/bstby, PO Box 6497, Sioux Falls, SD 57117-6497
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 Capital One, N.A., c o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701
 +Cavalry SPV I, LLC., Bass & Associates, P.C., 3936 E. Ft. Lowell Rd., Ste. 200, Tucson, AZ 85712-1083
 +Chase, Po Box 15298, Wilmington, DE 19850-5298
 +Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
 +Comenity Bank/peebles, Po Box 182789, Columbus, OH 43218-2789
 +Credit First N A, 6275 Eastland Rd, Brookpark, OH 44142-1399
 +Credit First NA, PO Box 818011, Cleveland, OH 44181-8011
 +Dept Of Ed/sallie Mae, 11100 Usa Pkwy, Fishers, IN 46037-9203
 +Diamond Credit Union, 1600 Medical Drive, Pottstown, PA 19464-3242
 +Fed Loan Serv, Po Box 61047, Harrisburg, PA 17106-1047
 FedLoan Servicing, P.O. Box 69184, Harrisburg, PA 17106-9184
 +Fort Billings FCU, 900 Billingsport Rd, PO Box 369, Paulsboro, NJ 08066-0369
 ++Louviers Fcu, 185 E Main Street, Newark, DE 19711
 +NJ Class, PO Box 548, Trenton, NJ 08625-0548
 Navient Solutions Inc., Department of Education Loan Services, Po Box 9635, Wilkes-Barre PA. 18773-9635
 Navient Solutions Inc. Department of Education Loa, Po Box 9635, Wilkes-Barre PA. 18773-9635
 +Sears/cbna, Po Box 6189, Sioux Falls, SD 57117-6189
 +State Of Nj Student As, Po Box 538, Trenton, NJ 08625-0538
 +Trumark Financial Cu, 1000 Northbrook Dr, Trevose, PA 19053-8430
 Wells Fargo Bank, N.A., P.O. Box 19657, Irvine, CA 92623-9657
 +Wfds/wds, Po Box 1697, Winterville, NC 28590-1697

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg
 +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jul 11 2016 23:23:09 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 515031231
 E-mail/Text: g20956@att.com Jul 11 2016 23:23:49 AT & T, PO Box 246,
 Artesia, CA 90702-0246
 515207412
 +E-mail/Text: g20956@att.com Jul 11 2016 23:23:49 AT&T Mobility II LLC,
 % AT&T Services, Inc, Karen Cavagnaro, Paralegal, One AT&T Way, Room 3A104,
 Bedminster, NJ 07921-2693
 515031229
 +E-mail/Text: ally@ebn.phinsolutions.com Jul 11 2016 23:22:23 Ally Financial,
 P O Box 380901, Bloomington, MN 55438-0901
 515045438
 E-mail/Text: ally@ebn.phinsolutions.com Jul 11 2016 23:22:23
 Ally Financial serviced by Ally Servicing LLC, PO Box 130424, Roseville, MN 55113-0004
 515031238
 +E-mail/Text: ned-collections_bankruptcydocuments@comcast.com Jul 11 2016 23:23:45
 Comcast Cable Communications, 1490 Berlin Road, Woodcrest Shopping Center,
 Cherry Hill, NJ 08003-3652
 515031245
 +E-mail/Text: bnckohlsnotices@becket-lee.com Jul 11 2016 23:22:34 Kohls/capone,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 515250323
 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 11 2016 23:32:54
 Portfolio Recovery Associates, LLC, c/o Care Credit, POB 41067, Norfolk VA 23541
 515223582
 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 11 2016 23:50:49
 Portfolio Recovery Associates, LLC, c/o Lowes, POB 41067, Norfolk VA 23541
 515250322
 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 11 2016 23:31:22
 Portfolio Recovery Associates, LLC, c/o Sears Premier Card, POB 41067, Norfolk VA 23541
 515167767
 E-mail/Text: bnc-quantum@quantum3group.com Jul 11 2016 23:23:04
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 515031247
 +E-mail/PDF: pa_dc_claims@navient.com Jul 11 2016 23:31:15 Sallie Mae, Po Box 9655,
 Wilkes Barre, PA 18773-9655
 515087963
 E-mail/Text: ebn_bkrt_forms@salliemae.com Jul 11 2016 23:23:50 Sallie Mae, P.O. Box 3319,
 Wilmington, DE 19804-4319
 515031250
 +E-mail/PDF: gecsedirecoverycorp.com Jul 11 2016 23:31:56 Synch/care Credit,
 950 Forrer Blvd, Kettering, OH 45420-1469
 515031251
 +E-mail/PDF: gecsedirecoverycorp.com Jul 11 2016 23:32:44 Synch/lowes, Po Box 956005,
 Orlando, FL 32896-0001

District/off: 0312-1

User: admin
Form ID: pdf901

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Total Noticed: 49

Date Rcvd: Jul 11, 2016

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

TOTAL: 15

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
515064203* Wells Fargo Bank, N.A., P.O. Box 19657, Irvine, CA 92623-9657

TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '+++' were transmitted to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(e).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 13, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 9, 2016 at the address(es) listed below:

Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com

Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

Joseph J. Rogers on behalf of Joint Debtor Pamela L. Fisher jjresq@comcast.net,
jjresql@comcast.net

Joseph J. Rogers on behalf of Debtor George A. Fisher jjresq@comcast.net, jjresql@comcast.net

Joshua I. Goldman on behalf of Creditor BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC
HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com

TOTAL: 5